

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)	
)	
ADAM HAGGARD)	CASE NO. 04-11848
)	
Debtor)	

DECISION AND ORDER

At Fort Wayne, Indiana, on December 1, 2005

The notice of motion and opportunity to object which GMAC Mortgage (hereinafter "Movant") served in connection with its motion for relief from stay and abandonment does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The certificate of service filed with the notice of that motion indicates that only the debtor, debtor's counsel, trustee and U.S. Trustee were served with notice of the motion and opportunity to object thereto. All creditors and parties in interest are entitled to notice of the abandonment of property from the bankruptcy estate. See, Fed. R. Bankr. P. Rule 6007.

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the motion is DENIED, without prejudice to resubmission.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court